

AMENDMENT

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could
depot of a composition containing said azalide antibiotic on the eye.

Claim 47. (Amended) The process according to claim 45, wherein said azalide antibiotic is a compound of formula (I):

Sub C2

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wherein R¹ and R² each independently represent a hydrogen atom or methyl group.

Claim ~~48~~⁴. (Amended) The process according to claim ~~47~~³, wherein said azalide antibiotic is azithromycin.

Claim ~~49~~⁵. (Amended) The process according to claim ~~48~~³, wherein said applying provides a therapeutically effective concentration of azalide antibiotic within a tissue of the eye for at least 8 hours.

Claim ~~50~~⁴. (Amended) The process according to claim ~~49~~⁵, wherein said applying provides a therapeutically effective concentration of azalide antibiotic within a tissue of the eye for at least 12 hours.

Claim ~~51~~⁷. (Amended) The process according to claim ~~50~~⁶, wherein said applying provides a therapeutically effective

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concd concentration of azalide antibiotic within a tissue of the eye for at least 18 hours.

B³ Claim ~~53.8~~ (Amended) The process according to claim ~~45,1~~ wherein said depot is an aqueous polymeric suspension of said azalide antibiotic.

B⁴ Claim ~~56~~ (Amended) The process according to claim ~~45,1~~ wherein said depot is a composition selected from the group consisting of an aqueous suspensions, ointments, and inserts.

B⁵ Claim ~~59~~ (Amended) The process according to claim ~~45,1~~ wherein said depot remains for at least 30 minutes after administration.

Claim 61. (Amended) A topical ophthalmic composition comprising an aqueous polymeric suspension comprising water, 0.01% to 1.0% of an azalide antibiotic and 0.1 to 10% of a polymeric suspending agent.

B⁶ Claim ~~62~~ (Amended) The composition according to claim ~~61~~, wherein said suspension further comprises an additional medicament selected from the group consisting of antibiotics, antivirals, antifungals, anesthetics, anti-inflammatory agents, and anti-allergic agents.

Claim ~~63~~ (Amended) The composition according to claim ~~62~~, wherein said additional medicament is contained in the amount of from 0.01 to 5.0%.

Claim ~~64~~ (Amended) The composition according to claim ~~62~~, wherein said additional medicament is selected from the group consisting of amikacin, gentamycin, tobramycin, streptomycin, netilmycin, kanamycin, ciprofloxacin, norfloxacin, ofloxacin, trovafloxacin, lomefloxacin, levofloxacin, enoxacin, sulfonamides, polymyxin, chloramphenicol, neomycin,

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paramomomycin, colistimethate, bacitran, vancomycin,
tetracyclines, rifampins, cycloserine, beta-lactams,
cephalosporins, amphotericins, fluconazole, flucytosine,
matamycin, miconazole, ketoconazole, corticosteroids,
diclofenac, flurbiprofen, ketorolac, suprofen, comolyn,
lodoxamide, levocabastin, naphazoling, antazoline, and
pheniraminane.

B⁴ [Claim 65. (Amended) A topical ophthalmic composition
comprising an effective amount of an azalide antibiotic, an
ophthalmically acceptable carrier, and an additional medicament
selected from the group ⁴³consisting of antibiotics, antivirals,
antifungals, anesthetics, anti-inflammatory agents, and
anti-allergic agents.]

Claim ⁴³66. (Amended) The composition according to claim ²⁰65,
wherein said azalide antibiotic is azithromycin.

B⁷ [Claim ²⁰68. (Amended) The composition according to claim ²⁰65
wherein said composition is fluid; said azalide antibiotic is
contained in an amount of from about 0.01 to 2.0%; and said
additional medicament is contained in an amount of from about
0.01 to 5.0%.]

B⁸ [Claim 73. (Amended) The ^{Sub D 3} process according to claim 70,
wherein said topically applying comprises supplying a depot of a
composition containing said azalide antibiotic on the eye.]

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Claim 83. (Amended) The process according to claim 70, wherein said azalide antibiotic is a compound of formula (I):

sub C6

wherein R¹ and R² each independently represent a hydrogen atom or methyl group.

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Claim ~~84~~³⁴. (Amended) The process according to claim ~~83~~³⁵, wherein said azalide antibiotic is azithromycin.

Claim 85. (Amended) The process according to claim 70, wherein said applying provides a therapeutically effective concentration of azalide antibiotic within a tissue of the eye for at least 8 hours.

Claim ~~86~~³⁸. (Amended) The process according to claim ~~85~~³⁷, wherein said applying provides a therapeutically effective concentration of azalide antibiotic within a tissue of the eye for at least 12 hours.

Claim ~~87~~³⁹. (Amended) The process according to claim ~~86~~³⁸, wherein said applying provides a therapeutically effective concentration of azalide antibiotic within a tissue of the eye for at least 18 hours.

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Claim ⁴²~~97~~. (Amended) The composition according to claim ²⁰~~85~~, wherein said composition is fluid; said azalide antibiotic is contained in an amount from at least about 5.0%, and said additional medicament is contained in an amount of from about 0.01 to 5.0%.

Claim ⁴³~~98~~. (Amended) The composition according to claim ²⁰~~85~~, wherein said composition is fluid; said azalide antibiotic is contained in an amount from about 0.1 to about 5.0%, and said additional medicament is contained in an amount of from about 0.001 to 5.0%.

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Claim 101. (Amended) A topical ophthalmic composition comprising an aqueous polymeric suspension comprising water, at least about 5.0% of an azalide antibiotic, and 0.1 to 10% of a polymeric suspending agent.

Claim 102. (Amended) A topical ophthalmic composition comprising an aqueous polymeric suspension comprising water, from about 0.1 to about ^{5.0%}~~5.0%~~ of an azalide antibiotic, and 0.1 to 10% of a polymeric suspending agent.

REMARKS

Support for the amendment to Claim 45 can be found, *inter alia*, in cancelled Claim 52; support for the amendment to Claim 61 can be found, *inter alia*, in Claim 65; and support for the amendment to Claim 65 can be found, *inter alia*, in cancelled Claim 67. The remaining amendments are relatively minor, and primarily editorial in nature.

On pages 2-3 of the Office Action, the Examiner rejects Claims 45-60, 70-87 and 95-96 under the doctrine of